

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

THE KAY COMPANY, LLC, et al.,

Plaintiffs,

v.

**CIVIL ACTION NO. 2:06-0612
Honorable Joseph R. Goodwin**

**EQUITABLE PRODUCTION COMPANY, a
qualified Pennsylvania corporation;
EQUITABLE RESOURCES, INC., a
Pennsylvania corporation; STATOIL NORTH
AMERICA, INC., a Delaware corporation;
STATOIL ENERGY, INC., a Virginia
corporation; STATOIL ENERGY HOLDINGS,
INC., a Delaware corporation; and ASHLAND
OIL, INC., a Kentucky corporation,**

Defendants.

**NOTICE OF DISMISSAL
OF THE STATOIL DEFENDANTS WITHOUT PREJUDICE**

Plaintiffs, through undersigned counsel and pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), dismiss defendants Statoil North America, Inc., Statoil Energy, Inc., and Statoil Energy Holdings, Inc. (“the Statoil defendants”), from this action without prejudice. None of the Statoil defendants has served an answer or motion for summary judgment. This dismissal solely applies to defendants Statoil North America, Inc., Statoil Energy, Inc., and Statoil Energy Holdings, Inc.; all other defendants remain parties to the case.

Dated: June 8, 2007

Respectfully submitted,

/s/Marvin W. Masters
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**EQUITABLE PRODUCTION
COMPANY, ET AL.,**

Defendants.

CERTIFICATE OF SERVICE

I, Alexander Macia, hereby certify that on this 8th day of June, 2007, I electronically filed Plaintiffs' "Notice of Dismissal of the Statoil Defendants Without Prejudice" with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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Notices are being sent to certain of these attorneys, who are not receiving a copy through the CM/ECF system, via United States First Class Mail, postage prepaid.

/s/ Alexander Macia

Alexander Macia